

OFFICIAL REPORT OF PROCEEDINGS**Wednesday, 30 April 1980****The Council met at half past two o'clock****PRESENT**

HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)
SIR CRAWFORD MURRAY MACLEHOSE, G.B.E., K.C.M.G., K.C.V.O.

THE HONOURABLE THE CHIEF SECRETARY
SIR JACK CATER, K.B.E., J.P.

THE HONOURABLE THE FINANCIAL SECRETARY (*Acting*)
SECRETARY FOR ECONOMIC SERVICES
MR. DAVID GREGORY JEAFFRESON, J.P.

THE HONOURABLE THE ATTORNEY GENERAL (*Acting*)
LAW DRAFTSMAN
MR. GERALD PAUL NAZARETH, O.B.E.

THE HONOURABLE THE SECRETARY FOR HOME AFFAIRS
MR. LI FOOK-KOW, C.M.G., J.P.

THE HONOURABLE DAVID AKERS-JONES, C.M.G., J.P.
SECRETARY FOR THE NEW TERRITORIES

THE HONOURABLE LEWIS MERVYN DAVIES, C.M.G., O.B.E., J.P.
SECRETARY FOR SECURITY

THE HONOURABLE DAVID WYLIE McDONALD, C.M.G., J.P.
DIRECTOR OF PUBLIC WORKS

THE HONOURABLE KENNETH WALLIS JOSEPH TOPLEY, C.M.G., J.P.
DIRECTOR OF EDUCATION

THE HONOURABLE ALAN JAMES SCOTT, J.P.
SECRETARY FOR HOUSING

THE HONOURABLE THOMAS LEE CHUN-YON, C.B.E., J.P.
DIRECTOR OF SOCIAL WELFARE

THE HONOURABLE DEREK JOHN CLAREMONT JONES, C.M.G., J.P.
SECRETARY FOR THE ENVIRONMENT

DR. THE HONOURABLE THONG KAH-LEONG, C.B.E., J.P.
DIRECTOR OF MEDICAL AND HEALTH SERVICES

THE HONOURABLE ERIC PETER HO, J.P.
SECRETARY FOR SOCIAL SERVICES

THE HONOURABLE JOHN CHARLES CREASEY WALDEN, J.P.
DIRECTOR OF HOME AFFAIRS

THE HONOURABLE JOHN MARTIN ROWLANDS, J.P.
SECRETARY FOR THE CIVIL SERVICE

THE HONOURABLE WILLIAM DORWARD, O.B.E., J.P.
DIRECTOR OF TRADE, INDUSTRY AND CUSTOMS

THE HONOURABLE JOHN MORRISON RIDDELL-SWAN, J.P.
DIRECTOR OF AGRICULTURE AND FISHERIES

THE HONOURABLE DAVID ROBERT FORD, M.V.O., O.B.E., J.P.
SECRETARY FOR INFORMATION

THE HONOURABLE JOSEPH CHARLES ANTHONY HAMMOND, J.P.
COMMISSIONER FOR LABOUR (*Acting*)

THE HONOURABLE OSWALD VICTOR CHEUNG, C.B.E., Q.C., J.P.

THE HONOURABLE ROGERIO HYNDMAN LOBO, C.B.E., J.P.

THE HONOURABLE LI FOOK-WO, C.B.E., J.P.

THE HONOURABLE JOHN HENRY BREMRIDGE, O.B.E., J.P.

DR. THE HONOURABLE HARRY FANG SIN-YANG, C.B.E., J.P.

THE HONOURABLE LO TAK-SHING, O.B.E., J.P.

THE HONOURABLE FRANCIS YUAN-HAO TIEN, O.B.E., J.P.

THE HONOURABLE ALEX WU SHU-CHIH, O.B.E., J.P.

THE REVD. THE HONOURABLE JOYCE MARY BENNETT, O.B.E., J.P.

THE HONOURABLE CHEN SHOU-LUM, O.B.E., J.P.

THE HONOURABLE LYDIA DUNN, O.B.E., J.P.

DR. THE HONOURABLE HENRY HU HUNG-LICK, O.B.E., J.P.

THE HONOURABLE LEUNG TAT-SHING, O.B.E., J.P.

THE REVD. THE HONOURABLE PATRICK TERENCE McGOVERN, O.B.E., S.J. J.P.

THE HONOURABLE PETER C. WONG, O.B.E., J.P.

THE HONOURABLE WONG LAM, O.B.E., J.P.

DR. THE HONOURABLE RAYSON LISUNG HUANG, C.B.E., J.P.

THE HONOURABLE CHARLES YEUNG SIU-CHO, J.P.

DR. THE HONOURABLE HO KAM-FAI

THE HONOURABLE ALLEN LEE PENG-FEI

THE HONOURABLE DAVID KENNEDY NEWBIGGING, J.P.

THE HONOURABLE ANDREW SO KWOK-WING

THE HONOURABLE HU FA-KUANG, J.P.

THE HONOURABLE WONG PO-YAN, O.B.E.

IN ATTENDANCE

THE CLERK TO THE LEGISLATIVE COUNCIL
MRS. LORNA LEUNG TSUI LAI-MAN

Papers

The following papers were laid pursuant to Standing Order No. 14(2):—

Subject *L.N. No.*

Subsidiary Legislation:

Child Care Centres Ordinance.	
Child Care Centres (Amendment) Regulations 1980.....	90
Revised Edition of the Laws Ordinance 1965.	
Revised Edition of the Laws (Correction of Error) Order 1980	92
Public Health and Urban Services Ordinance.	
Public Swimming Pools (Amendment) (No. 2) By-laws 1980	93
Urban Council Ordinance.	
Urban Council Financial (Amendment) By-laws 1980	94
Employment (Amendment) Ordinance 1980.	
Employment (Amendment) Ordinance 1980 (Commencement) Notice 1980.....	95
Hawker (New Territories) Regulations.	
Restriction of Hawking in Special Areas (New Territories) Notification 1980.....	96

Sessional Papers 1979-80:

- No. 46—Supplementary provisions for the quarter ended 30 September 1979 (published on 30.4.80).
- No. 47—Mass Transit Railway Corporation Annual Report 1979 (published on 30.4.80).
- No. 48—Report of the Finance Committee on the Draft Estimates of Expenditure 1980-81 (published on 30.4.80).
- No. 49—Supplementary provisions approved by the Urban Council for the fourth quarter of the fiscal year 1979-80 (published on 30.4.80).

Oral answers to questions**Legislative control of martial arts schools**

1. MR. F. K. HU asked:—*Will Government say what progress has been made to introduce legislation to regulate the activities and membership of*

martial arts schools since the statement given to this Council on 8 December 1976?

SECRETARY FOR SECURITY:—Sir, on 8 December 1976, I said that legislation was being drafted to regulate the activities of martial arts schools. I also said that in preparing the drafting instructions officials recognized the need to achieve a balance between the healthy recreational side of these popular and traditional activities and thwarting undesirable elements who manage and organize such schools for their own purposes.

Following the preparation of a draft bill in 1977 which aimed to control all martial arts schools, doubts were expressed whether such far reaching legislative proposals were appropriate in all the circumstances.

As explained to the Fight Crime Committee at that time, the Attorney General, the Commissioner of Police and I decided not to proceed with these proposals. Instead, following discussions, the most recent of which were in February this year, we are in the process of trying to design more selective controls which would be applied only to those schools operated and used by undesirable elements and without inconveniencing legitimate associations. I hope that further progress will be made with this during the summer.

MR. F. K. HU:—*Could I be advised of the definition of undesirable elements and which Government department will be responsible for identifying undesirable elements?*

SECRETARY FOR SECURITY:—Undesirable elements take basically two forms. There are organizations, triad infiltrated, which use these schools for indoctrinating people and there are hoodlums. Police will be looking into both of these types.

M.T.R. road reinstatement works in Central

2. MR. PETER C. WONG asked:—*Bearing in mind that the M.T.R. has already been in operation since 12 February 1980, will Government inform this Council when the road surface works in Central will be completed?*

DIRECTOR OF PUBLIC WORKS:—Sir, under the original M.T.R. programme the stations in Central District were due for completion at the end of March with the road reinstatement works tied to that programme.

However, as a result of the decision to advance the completion and opening of the Chater/Pedder and Admiralty Stations, the Admiralty transport interchange and road system to early February the contractors' resources were diverted to meet the objective and in consequence the reinstatement works were delayed.

Sir, I am advised that these complex reinstatement works involving further utility alterations, diversions of tramway lines and removal of temporary decks will be completed in Chater Road by the end of May and in Des Voeux Road and Pedder Street in August.

I am also advised that a short length of pedestrian subway connecting the M.T.R. station with the Landmark development will be constructed between September and November but the disruptive effects of this work will be confined mainly to the southern footpath of Des Voeux Road.

MR. PETER C. WONG:—*Because of the great inconvenience caused, will the Director of Public Works see to it that the works be completed as scheduled and, if possible, expedited?*

DIRECTOR OF PUBLIC WORKS:—I am already aware that the Mass Transit Railway Corporation are applying very heavy pressure on their contractors to complete the works as early as possible, and I think it is extremely unlikely that any advancement of the dates quoted can be achieved.

Full-time training for teachers of the mentally retarded

3. REVD. JOYCE M. BENNETT asked:—*When will the Government start full-time training for teachers of the mentally retarded?*

DIRECTOR OF EDUCATION:—Sir, a full-time training course is not proposed at present. As a next step it is proposed to phase out the present one-year in-service training course and to introduce a two-year part-time day release course incorporating a full-time training element.

REVD. JOYCE M. BENNETT:—*At what time, Sir, in the course will the full-time training element occur?*

DIRECTOR OF EDUCATION:—During the summer vacations of both years, Sir.

REVD. JOYCE M. BENNETT:—*Sir, is it possible for provision to be made to overcome the difficulties met by the untrained teacher in the first weeks of teaching by putting that full-time training element in the August prior to starting teaching?*

DIRECTOR OF EDUCATION:—Sir, I will consider that suggestion.

Observance of motorway driving principles on Tuen Mun Highway

4. MR. ALLEN LEE asked:—*In view of the number of fatal accidents on the Tuen Mun Highway, what steps are being taken by Government to educate drivers?*

SECRETARY FOR THE ENVIRONMENT:—Sir, although I share the concern which has been widely expressed over the number of fatal accidents on the Tuen Mun Highway I must again point out that, proportionate to traffic flow, there are fewer accidents on this road than on other roads. The problem is that more of the accidents are serious or fatal because of the higher speeds involved. This is compounded by the fact that many drivers not only drive too fast on this road but that they frequently neglect traffic signs and road markings.

A considerable part of the problem arises from the fact that so far only half of the road has been built and it therefore has to cater for two-way traffic on a three-lane road over most of its length. This means that speed limits and road markings and signs must be strictly observed and, in particular, that all double white lines must not be crossed.

The need to drive carefully and to observe traffic signs on this road has already been given considerable publicity in the press and on television and radio. In addition, specially large 'Arrive Alive' signs and speed limit repeater signs have been erected on the highway to warn motorists.

I must also emphasize, Sir, that, even when the second half of the Highway has been built, all drivers using it will need to follow closely the principles of motorway driving. This involves strict lane discipline, the need to signal clearly and to watch carefully the traffic in front and behind, through the rear view mirror, before changing lanes, and the requirement to drive at a safe distance from the vehicle in front. I am considering whether basic instruction in these principles of driving on higher speed roads should be included in the driving test.

(THE FOLLOWING WRITTEN REPLY WAS PROVIDED SUBSEQUENTLY.)

These principles involve strict lane discipline, the need to signal clearly and to watch carefully the traffic in front and behind before changing lanes, and the requirement to drive at a safe distance from the vehicle in front.

These basic principles are, of course, already included in the existing driving test, although, of necessity, tests have to be conducted at moderate speeds. However, the Transport Department is currently revising the driving test procedures and these particular aspects will be given more emphasis than before. It is also intended that advice on the use of high speed roads should be incorporated in the Indoor Instruction Centre programmes operated by the Transport Department and the Automobile Association. Thus, even though it will not be possible to test drivers on high speed roads, they can be made aware, during instruction, of the special problems of driving on such road.

It is this question of awareness that applies to all drivers, both learners and the experienced, and it is here that our efforts can be usefully concentrated in the future. Perhaps the best way to convey the message is through short films and T.V. clips; the preparation of the former at the instruction

stage is now planned, and I have asked the Standing Conference on Road Safety to consider whether T.V. clips, similar to those already in use, could usefully be developed highlighting the special difficulties of driving on the Tuen Mun Road.

Accidents on high speed roads will be subject to continued close investigation and the opportunities for developing instruction, examination and publicity techniques, as well as the design of the roads themselves, will be kept under regular review. A Road Safety Division will be established within the Highways Office shortly, and the Division will be charged, among its other tasks, with examining safety aspects on high speed roads.

MR. ALLEN LEE:—*Sir, will the Secretary for the Environment clarify what he means by principles of motorway driving. Does he mean the principles of highway driving and are these principles known to drivers?*

SECRETARY FOR THE ENVIRONMENT:—The principles of motorway driving; I wrote them down myself having had considerable experience of driving on motorways in the U.K. and there are certainly different ways of driving on a high speed road and a dual carriageway, two-lane and three-lane, and I tried to set them out here as best I could.

REVD. JOYCE M. BENNETT:—*Sir, is it possible to enforce correct lane discipline on dual carriageways as a start?*

SECRETARY FOR THE ENVIRONMENT:—Yes, Sir.

MR. PETER C. WONG:—*Would the Secretary agree that certain traffic signs, particularly when they are placed close together and when they are very small, are not easy to read when one is driving at, say, about 30 miles per hour?*

SECRETARY FOR THE ENVIRONMENT:—Yes, I would agree with that, but I don't think that it applies to the Tuen Mun Highway. These signs are quite large and are clearly displayed. I think if you have a 40-mile per hour limit sign and this is repeated, repeated, repeated down the road, motorists should be aware that there is a limit of 40 miles per hour on this road (*laughter*).

Tuen Mun Highway Stage II construction

5. MR. ALLEN LEE asked:—*Will Government state the completion date of the Tuen Mun Highway from three lanes to six lanes?*

DIRECTOR OF PUBLIC WORKS:—Sir, the section of the second three-lane carriageway now under construction between Tsuen Wan and Sham Tseng is expected to be completed in June 1981.

The programme for the final section of the road from Sham Tseng to Tuen Mun has recently been revised and completion is now planned for December 1982, i.e. about six months earlier than previously envisaged.

Emergency medical services in the New Territories

6. MR. YEUNG asked:—*Pending the opening of regional hospitals in Tuen Mun and Sha Tin, what are the interim arrangements for treating acute emergency cases such as those arising from traffic accidents and maternity complications at local and district hospitals, and is the Government satisfied with the adequacy and efficiency of these arrangements, bearing in mind the rapid population growth in both these new towns, the corresponding traffic congestion, and the distances ambulances must travel?*

DIRECTOR OF MEDICAL AND HEALTH SERVICES:—Sir, at present, arrangements for treating emergency cases arising from traffic accidents and maternity are for such cases to be attended to in the first instance at the emergency unit of the nearest district hospitals or clinics in the New Territories.

Steps have been taken before the opening of the major hospitals at Sha Tin and Tuen Mun to improve the emergency services whenever necessary in the district hospitals and clinics so as to ensure that they provide adequate facilities in dealing with cases.

After appropriate initial treatment, depending on their conditions and if considered necessary by the attending physicians, some of the cases may then be transferred to the nearest regional hospitals for more sophisticated treatment.

In answer to the second part of my friend's question, the above arrangements are considered satisfactory, and I would like to assure Mr. YEUNG that the arrangements are kept under constant review.

Tuition fees increases at British tertiary education institutions

7. MR. SO asked in Cantonese:—

政府可否就香港學生在英國接受大學及專上教育學費增加一事，發表聲明？

(The following is the interpretation of what Mr. So asked.)

Will Government make a statement on the proposed increases in tuition fees for Hong Kong students pursuing tertiary education in the U.K.?

SECRETARY FOR SOCIAL SERVICES:—Sir, the recently announced increases in tuition fees at British universities, and other institutions of higher education, will apply with effect from the coming autumn to those students who are classified as overseas students, and who will be commencing their courses of study thereafter. These new fees are intended to reflect the full cost of

tuition at British tertiary institutions. At university undergraduate level these annual fees will be at least £ 2,000 for arts courses, £ 3,000 for science courses and £ 5,000 for medicine, dentistry and veterinary science. These rates compare with the current average figure of £ 940 for 'overseas' students and £ 740 for 'home' students. However, students who are already studying in these institutions will continue to pay fees on the current basis.

Since the announcement last autumn our Commissioner in London and I have been making strenuous efforts to establish the criteria by which classification as 'home' or 'overseas' students is determined. The position is complicated by the fact that decisions on classification are made by individual universities or colleges, but from the best information available it appears that students from Hong Kong who have spent three years or more in Britain taking 'O' and 'A' level courses are classified as 'home' students, as are students from families of United Kingdom origin working temporarily in Hong Kong. Other Hong Kong students will have to pay the new rates as overseas students.

The Government feels that Hong Kong's position as a dependent territory entitles our students to no less favourable treatment than students from other countries who are also granted the same status as 'home' students. Representations have recently been made to the Foreign and Commonwealth Office on this question and I hope that they will receive sympathetic consideration in London.

MR. WONG LAM asked in Cantonese:—

閣下，除了向英國外交部請求交涉之外，是否有更好的辦法，例如在本港增加大學學位或考慮貸款給有需要的留英學生呢？

(The following is the interpretation of what Mr. WONG Lam asked.)

Sir, other than making representations to the F.C.O., are there other better measures such as increasing the number of school places in the universities, or making special grants to students studying overseas?

SECRETARY FOR SOCIAL SERVICES:—Sir, taking the second part of this supplementary first, all I can say at this stage is that we are in contact with our Commissioner in London to establish the facts.

As regards the provision of more university places in Hong Kong, the 1978 White Paper on the Development of Senior Secondary and Tertiary Education envisages an annual growth rate of 3% for the two universities in the 1980s. I will add that in the light of the University and Polytechnic Grants Committee's advice, which had been sought by the Government and just received, consideration will be given to whether the growth in the 1981-84 triennium should be higher than 3%.

Other provisions are included for expansion at the tertiary level outside the universities, and I suggest that these provisions will also have a bearing

on Mr. WONG'S query. There is a scheme of financial assistance to the approved post-secondary colleges which will provide for the number of assisted places at the Baptist and Lingnan Colleges increasing from 950 in September 1979 to 2,000 this September, to a total of 3,400 assisted places by September 1982.

At the diploma and certificate level the net additional places planned for provision in the technical institutes will increase from 1,900 in September 1979 to 3,400 by September 1982. This figure does not include similar level courses agreed with the University and Polytechnic Grants Committee for transfer from the Polytechnic to make room for higher level work there.

As regards degree courses at the Polytechnic, the Government has not yet received detailed advice from the University and Polytechnic Grants Committee on the types of degree courses to be run there, but subject to this lack of certainty I would imagine that there would ultimately be 1,500 to possibly 2,500 full-time equivalent students on first degree courses there by the end of the 1984-87 triennium.

REVD. JOYCE M. BENNETT:—*With reference to Mr. HO's reply in his last paragraph, could he explain what other countries are granted the same status as 'home' students?*

SECRETARY FOR SOCIAL SERVICES:—Students from the E.E.C. countries are so treated, Sir.

MR. WU:—*Is there any increase in post-graduate studies such as those undertaken by Government officers and, if so, is the increase in the same proportion as those stated?*

SECRETARY FOR SOCIAL SERVICES:—I am not certain, Sir, of the precise level of the increases for post-graduate students, and I will write to the Member concerned when I have the information.

(THE FOLLOWING WRITTEN REPLY WAS PROVIDED SUBSEQUENTLY.)

In reply to a parliamentary question in the House of Commons on 1 November 1979 the Secretary of State for Education and Science stated that no specific recommendation will be made about fees for new post-graduate students. He added he was conscious that the contribution made by overseas students to research in the institutions they attended could be outstanding and he intended to arrange with the University Grants Committee for a scheme for granting bursaries to post-graduate research students of outstanding merit from overseas.

The Secretary of State for Education and Science subsequently announced an awards scheme for overseas research students. It is expected that some 400 to 500 students will be assisted in the first year beginning September 1980. The cost to the British Government of this award scheme in the first year is expected to be some £ 1 million, including administration costs.

The information gathered so far from various sources does not really permit me to make a definitive statement on post-graduate fees as such. However, the advice of the University Grants Committee to the universities is that the minimum fees for post-graduate students commencing courses in the United Kingdom in the autumn term 1980, or subsequently, should be the same as for undergraduate students. This means minimum fees of:

- £ 2,000 for arts courses
- £ 3,000 for science courses
- £ 5,000 for clinical courses in medicine, dentistry and veterinary science.

The quotations the Government Training Division has to hand at the moment for post-graduate courses it is arranging for serving officers this autumn indicates that certain institutions, at least, are following this guidance.

You may also wish to know that the 1980-81 tuition fees for overseas students who commenced their courses *before* 1 September 1980, and for 'home' students, will be increased by some 24 percent to maintain fees in real terms as follows:—

	<i>Tuition fees 1979-80</i>	<i>Recommended Tuition fees for 1980-81</i>
	£	£
<i>Post-graduate:</i>		
Home	890	1,105
Overseas	1,230	1,525
<i>Undergraduate and equivalent:</i>		
Home	595	740
Overseas	940	1,165
<i>Full-time non-advanced:</i>		
Overseas	520	645

REVD. JOYCE M. BENNETT:—*Is it true then that students from Macao will be treated as 'home' students?*

SECRETARY FOR SOCIAL SERVICES:—I am not aware of this, Sir.

Safety inspections of blasting sites

8. REVD. JOYCE M. BENNETT asked:—*How many officers are employed by the Labour Department to ensure that proper precautions are taken during blasting operations and how frequently do they supervise the observance of the precautions?*

COMMISSIONER FOR LABOUR:—Sir, there are 17 officers of various ranks employed in the Mines Division of the Labour Department who are involved in ensuring that proper safety precautions are taken by both employers and workers during blasting operations.

During the year ending 31 March 1980, approximately 1,350 inspections of 135 blasting sites were carried out, which represents an average frequency of 10 inspections of each site during the year. However, more frequent inspections are made in cases where this is considered to be necessary.

REVD. JOYCE M. BENNETT:—*Sir, if there is blasting on these sites every day that would mean 49,275 explosions in the year, so that 17 inspectors do not seem to be adequate in number.*

COMMISSIONER FOR LABOUR:—*Sir, there are about 30 blasting sites in operation each day on average.*

Fish farm damages by red algae

9. DR. HO asked:—*Will Government inform this Council of*
- (1) the extent of the damage caused to the fish farms in Deep Bay, Chek Keng and Sha Tau Kok by the presence of red algae; and*
 - (2) the measures being taken to exterminate and suppress the spread of these organisms?*

DIRECTOR OF AGRICULTURE AND FISHERIES:—*Sir, in answer to the first part of the question, two outbreaks of red algae affecting fish farms have occurred this year. Between the 17 and 19 April approximately 10 metric tons of fish valued at about HK\$400,000 were lost due to the effects of these algae on fish farms in the north eastern coastal waters of the territory, including the Deep Bay, Chek Keng and Sha Tau Kok areas. The losses amounted to some 3% of the fish farmed in these waters and occurred mostly in fish farms in the Kat O area. A second outbreak affecting fish farms in the Yim Tin Tsai area of Tolo Harbour occurred on the 27 and 28 April. This outbreak is still under investigation but initial reports indicate losses of some 12 metric tons of fish. Sir, assessment of the Tolo Harbour outbreak has been completed and are now estimated to be some 25 metric tons valued at some \$900,000.*

With regard to the second part of the question, the organisms responsible are normally widely distributed in sea water and are impossible to exterminate. Outbreaks do not spread in the conventional sense. They occur sporadically only when conditions are suitable for the sudden rapid proliferation of the algae. This proliferation seriously affects the sea around it by producing toxins and by depleting it of oxygen. Suppression of these organisms is extremely difficult but chemicals which could possibly be used to control plankton are being investigated and they may prove useful in suppressing outbreaks of red algae. The use of booms to contain outbreaks is also being evaluated. As outbreaks are usually localized and patchy the adverse effects of the algae on fish farming can be reduced by towing the fish rafts, where possible, to uncontaminated waters and lowering the fish cages where water depth permits. Fish farmers in the affected areas were advised to do this and as a result some farmers minimized their losses. As

lack of oxygen is such a significant factor in fish mortality due to red algae, the Department also advises fish farmers to use any means available to increase aeration of the water, such as propellers or simple paddling when an outbreak occurs. Staff of the Agriculture and Fisheries Department have designed a mechanical aerator which can be used for this purpose and intend to introduce it to fish farmers. At present all outbreaks are thoroughly investigated and monitored to try to get closer to the factors that cause them with a view to predicting potential outbreaks and giving farmers an opportunity to avoid losses.

DR. HO:—*Sir, will it be necessary for the Agriculture and Fisheries Department to do something to help the badly affected fish farmers to re-establish their industry?*

DIRECTOR OF AGRICULTURE AND FISHERIES:—Yes, Sir, Agriculture and Fisheries Department staff are visiting all affected fish farms to advise and assist farmers in re-establishing or rehabilitating their farms. In cases of severe hardship they will be investigated and considered for financial assistance towards restocking.

Statement

Report of the Finance Committee on the Draft Estimates of Expenditure 1980-81

THE CHIEF SECRETARY:—Sir, on 27 February this year, the Draft Estimates of Expenditure for 1980-81 were referred to Finance Committee for examination under Standing Order No. 60(8).

The Committee held two special meetings on 5 and 6 March this year and a number of Controlling Officers were invited to attend for discussion. The Committee has completed its examination and its Report is laid on the table today.

Once again, I would like to place on record the Government's appreciation of the very considerable time and effort that Members of the Committee have devoted to the scrutiny of public expenditure, both at the special meetings at which they examined the Draft Estimates of Expenditure and at regular meetings held throughout the year when requests for supplementary provision and financial commitment are considered.

Government business

Motion

MAGISTRATES ORDINANCE

THE ATTORNEY GENERAL moved the following motion:—That the Magistrates (Forms) (Amendment) Rules 1980, made by the Chief Justice on 13 March 1980, be approved.

He said:—Sir, I move the resolution standing in my name on the Order Paper.

The Country Parks and Special Areas Regulations creates various offences concerned with the protection of country parks, like lighting fires otherwise than at designated barbecue sites and so on. The usual way persons committing such offences are dealt with is for officers of the Agriculture and Fisheries Department, authorized for that purpose by the Magistrates Court Ordinance, to serve the offenders with a statutory notice requiring them to appear before a Magistrate's Court.

The existing form of this statutory notice is prescribed in the Magistrates (Forms) Rules, but it does not adequately provide for country park offences. To provide specifically for such offences the Chief Justice has prescribed a new form by means of the Magistrates (Forms) (Amendment) Rules 1980. The form lists the offences in respect of which it can be used, and will significantly facilitate proceedings against persons who commit such offences. But before the Rules can become law they require, under the enabling power in section 133 of the Magistrates Ordinance, the approval of this Council, which I now seek.

Sir, I beg to move.

Question put and agreed to.

Motion (in Committee)

SUPPLEMENTARY PROVISIONS FOR THE QUARTER ENDED 30 SEPTEMBER 1979

Council went into Committee, pursuant to Standing Order 58(2), to consider the motion standing in the name of the Financial Secretary.

THE FINANCIAL SECRETARY moved the following motion:—That this Council approves the supplementary provisions for the quarter ended 30 September 1979 as set out in Paper No. 46.

He said:—Sir, I rise to move the motion standing in my name in the Order Paper.

The schedule of supplementary provisions for the second quarter of the financial year 1979-80, that is for the period 1 July to 30 September 1979, covers a total amount of 267 million dollars. Of this sum, Public Works Non-Recurrent items accounted for 146 million dollars as a result of more rapid progress on a number of approved projects and the upgrading of five projects to Category A of the Public Works Programme. Another 9 million

dollars is required to meet the increase in subventions arising from the conversion of private non-profit-making schools to fully aided schools.

Offsetting savings of 209 million dollars have been found under various other subheads of expenditure, or by freezing funds under Head 52 Miscellaneous Services Subhead 100 Additional commitments. Of the remaining 58 million dollars not offset by savings, 21 million dollars was for accelerated instalment payments for nine Marine Police sector launches related to anti-illegal immigrant activities, 12 million dollars was for additional duty allowances for junior police officers deployed to combat illegal immigration, 10 million dollars was for expenses relating to refugees and 5 million dollars was for initial expenses on the reinforcement of the garrison.

The Finance Committee has approved all the items in the schedule. The purpose of this motion is simply to seek the covering authority of this Council.

Sir, I beg to move.

Question put and agreed to.

Council then resumed.

THE FINANCIAL SECRETARY reported that the motion had been agreed to in committee without amendment.

Question agreed to by the whole Council pursuant to Standing Order 58(4).

First reading of bill

SUPPLEMENTARY MEDICAL PROFESSIONS BILL 1980

Bill read the first time and ordered to be set down for second reading pursuant to Standing Order 41(3).

Second reading of bills

SUPPLEMENTARY MEDICAL PROFESSIONS BILL 1980

THE DIRECTOR OF MEDICAL AND HEALTH SERVICES moved the second reading of:—‘A bill to provide for registration, discipline and the better control of persons engaged in occupations and professions supplementary to medicine’.

He said:—Sir, I rise to move the motion standing in my name on the Order Paper, in respect of the Supplementary Medical Professions Bill 1980, be read the second time.

The Bill seeks to establish a system of control over persons who are engaged in occupations or professions which are supplementary to medicine or what are commonly known as the para-medical professions. There is at present no statutory control over the professions supplementary to medicine in Hong Kong. With the advance of medical science and technology, laboratory tests, radiological examinations, radiotherapy, physiotherapy and occupational therapy are utilized more and more nowadays for the purpose of either diagnosis or treatment of diseases. It is important, therefore, that such tests and treatment be conducted under professional supervision and guidance. The professions covered by the Bill at present are the medical laboratory technicians, radiographers, physiotherapists, and occupational therapists. The purpose of the Bill is to safeguard the public interest by controlling the practice of these para-medical professions and promoting their standards.

Appropriate consultations have been carried out with para-medical professional bodies, the University of Hong Kong, the Hong Kong Polytechnic, the Medical Sub-committee of the University and Polytechnic Grants Committee, the medical professions and the relevant staff associations of the Medical and Health Department; all have expressed their support for the measures proposed.

At this point, I should like to take the opportunity to place on record my deep appreciation for the considerable time and efforts which all interested parties have devoted in rendering valuable advice and assistance in what has been proven to be an extraordinary complex subject.

I shall not take up honourable Members' time in going into great details, which are already provided in the Explanatory Memorandum attached to this Bill.

I should, however, like to mention the more important and salient features.

The Bill provides for the establishment of a Supplementary Medical Professions Council which will have overall responsibility for ensuring standards of professional practice and professional conduct of the para-medical professions, and also in co-ordinating and supervising of the various boards.

A separate board will be established for each para-medical profession. Each board will have the responsibility for the registration of members of that profession, the issue of practising certificates, inspection of premises used for the practice of that profession and matters relating to discipline.

The Council itself will comprise persons appointed by you, Sir, including nominees from the two universities, the Hong Kong Polytechnic, the paramedical professions covered by the Bill, public officers and private individuals. Each board will consist of not less than 9 and not more than 12 members to be appointed by Your Excellency, including persons nominated by the Hong Kong Medical Association, the Hong Kong Branch of the British

Medical Association, persons from the relevant para-medical profession and a representative in the field of professional education.

The Bill sets out the qualifications required of those seeking registration. In general, the basic qualifications for registration will be prescribed in the subsidiary legislation. A person holding qualifications other than those prescribed may also qualify to be registered provided those qualifications are recognized by the Council. The Bill also provides for provisional registration for those who are practising a profession at the time when the Bill comes to apply to that particular profession but who are not qualified for full registration.

It is intended that the control measures for the para-medical professions will be brought into operation by stages, commencing with medical laboratory technicians, to be followed by radiographers, physiotherapists and occupational therapists.

As it takes time to draw up subsidiary legislations and establish the machinery for registration, the actual dates of application of the Bill to each particular profession will be appointed by you, Sir, and published in the *Government Gazette*.

Sir, I now move that the debate on this motion be adjourned.

Motion made. That the debate on the second reading of the Bill be adjourned—THE DIRECTOR OF MEDICAL AND HEALTH SERVICES.

Question put and agreed to.

CRIMINAL PROCEDURE (AMENDMENT) BILL 1980

Resumption of debate on second reading (17 April 1980)

Question proposed.

DR. HO:—Your Excellency, I rise to support the Criminal Procedure (Amendment) Bill 1980.

Young offenders often feel rather disoriented and helpless upon their release from prison. Experience has shown that in the months immediately following their release, they are likely to revert to their former criminal associates and other undesirable characters, and inadvertently relapse into a life of crime.

Therefore for these young offenders, this Bill proposes a scheme of supervision, which has already proved to be a highly successful aid in rehabilitating offenders from detention centres and training centres. The scheme provides for an aftercare officer to be responsible for offering counselling, guidance and support to these young persons for a period of not more than one year,

with a view to assisting their speedy reintegration into the community. By acting as a friend and adviser to the young offender, the aftercare officer will be in a position to protect his young charges from bad influences and help them to start afresh by obtaining steady employment.

It is noted that three new posts have been proposed to implement the supervision scheme and I would like to stress the importance of ensuring that these proposed posts are filled with staff whose level of training and skill are adequate for performing the duties contained in the supervision order. This is essential if the purpose of this Bill is to be achieved.

SECRETARY FOR SECURITY:—Sir, I am grateful for the support which Dr. Ho has given this Bill.

The provision for 3 new posts in the 1980-81 Estimates does not mean that newly recruited officers will be posted to this important aftercare programme. The Commissioner of Prisons will redeploy his existing aftercare officers so that well qualified and experienced officers are put in charge of the new programme.

In all aftercare programmes it is the practice for an aftercare officer to be assigned to individuals on their entry to an institution. Thus by the time the individual is released under supervision some bond of understanding has been developed between the aftercare officer and the individual which should allow his supervision after release to continue naturally and effectively.

Question put and agreed to.

Bill read the second time.

Bill committed to a committee of the whole Council pursuant to Standing Order 43(1).

CRIMINAL PROCEDURE (AMENDMENT) (NO. 2) BILL 1980

THE ATTORNEY GENERAL:—Sir, I withdraw this Bill under Standing Order 52. I should like to explain very briefly why I am doing so.

Honourable Members will have seen from the Bill and its Explanatory Memorandum that its principal object was to enable the spouses of accused persons to give evidence for the prosecution if they are willing to do so. At present, except in a few specified cases, they are not permitted to give evidence for the prosecution. Some of my Unofficial Colleagues have expressed grave reservations about the implications and potential consequences of permitting on a general basis the spouses of accused persons to testify for the prosecution. They would prefer the existing basis of competence to

testify in specified cases to be retained and extended only to specific types of cases considered appropriate. Withdrawal of the Bill will enable the matter to be examined in consultation with the honourable Members and I hope soon to be able to bring a fresh bill to this Council.

Bill withdrawn pursuant to Standing Order 52.

OATHS AND DECLARATIONS (AMENDMENT) BILL 1980

Resumption of debate on second reading (17 April 1980)

Question proposed.

Question put and agreed to.

Bill read the second time.

Bill committed to a committee of the whole Council pursuant to Standing Order 43(1).

THE IMMIGRATION (AMENDMENT) BILL 1980

Resumption of debate on second reading (17 April 1980)

Question proposed.

SECRETARY FOR SECURITY:—Sir, I have had an opportunity of discussing this Bill with the Legislative Group of UMELCO who expressed some concern about the implication of clause 8 and, in particular, on the operational desirability of giving Senior Immigration Assistants and Immigration Assistants the powers to seize, remove and detain anything which may be forfeited under the Ordinance, or which is, or contains evidence of, the commission of an offence under this Ordinance.

I am grateful to the UMELCO Group for discussing their concern with these proposals with me. I am happy to give them the assurance that they asked for, namely, that the power of seizure will be used by a Senior Immigration Assistant or an Immigration Assistant only under instructions from an Immigration Officer and, normally, as part of a large scale operation under the control of a senior officer. It is not intended that a Senior Immigration Assistant or an Immigration Assistant should go out and seize objects on his own initiative.

Question put and agreed to.

Bill read the second time.

Bill committed to a committee of the whole Council pursuant to Standing Order 43(1).

IMMIGRATION SERVICE (AMENDMENT) BILL 1980

Resumption of debate on second reading (17 April 1980)

Question proposed.

Question put and agreed to.

Bill read the second time.

Bill committed to a committee of the whole Council pursuant to Standing Order 43(1).

URBAN COUNCIL (AMENDMENT) BILL 1980

Resumption of debate on second reading (17 April 1980)

Question proposed.

Question put and agreed to.

Bill read the second time.

Bill committed to a committee of the whole Council pursuant to Standing Order 43(1).

CUSTOMS AND EXCISE SERVICE (AMENDMENT) BILL 1980

Resumption of debate on second reading (17 April 1980)

Question proposed.

Question put and agreed to.

Bill read the second time.

Bill committed to a committee of the whole Council pursuant to Standing Order 43(1).

Committee stage of bills

Council went into Committee.

APPROPRIATION BILL 1980

HIS EXCELLENCY THE PRESIDENT:—We shall consider the Schedule first in accordance with Standing Order 55. The question is that the sums of money for the following Heads stand part of the Schedule.

Heads 21-19 were agreed to.

Question put that the Schedule stand part of the Bill and agreed to.

Clauses 1 and 2 were agreed to.

OATHS AND DECLARATIONS (AMENDMENT) BILL 1980

Clauses 1 to 4 were agreed to.

CRIMINAL PROCEDURE (AMENDMENT) BILL 1980

Clauses 1 and 2 were agreed to.

IMMIGRATION (AMENDMENT) BILL 1980

Clauses 1 to 10 were agreed to.

Schedule was agreed to.

IMMIGRATION SERVICE (AMENDMENT) BILL 1980

Clauses 1 and 2 were agreed to.

URBAN COUNCIL (AMENDMENT) BILL 1980

Clauses 1 to 3 were agreed to.

CUSTOMS AND EXCISE SERVICE (AMENDMENT) BILL 1980

Clauses 1 to 3 were agreed to.

Council then resumed.

Third reading of bills

THE ATTORNEY GENERAL reported that the

APPROPRIATION BILL

OATHS AND DECLARATIONS (AMENDMENT) BILL

CRIMINAL PROCEDURE (AMENDMENT) BILL

IMMIGRATION (AMENDMENT) BILL

IMMIGRATION SERVICE (AMENDMENT) BILL

URBAN COUNCIL (AMENDMENT) BILL

CUSTOMS AND EXCISE SERVICE (AMENDMENT) BILL

had passed through Committee without amendment and moved the third reading of each of the Bills.

Question put on each Bill and agreed to.

Bills read the third time and passed.

Adjournment and next sitting

HIS EXCELLENCY THE PRESIDENT:—In accordance with Standing Orders I now adjourn the Council until 2.30 p.m. on Wednesday, 14 May 1980.

Adjourned accordingly at sixteen minutes past three o'clock.